

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

DARRYL ANTOINE STARKS

CASE NO. 3:05-00225
CHIEF JUDGE HAYNES

MOTION TO AMEND REVOCATION ORDER

COMES NOW the United States of America, by and through the undersigned Assistant United States Attorney, and in consultation with defense counsel, as well as the United States Marshals Service, respectfully moves the Court to amend its Revocation Order previously entered in this case. (D.E 61). In support thereof, the government submits that the defendant is in primary federal custody and will therefore serve his sentence in federal custody, rather than state custody, as originally understood by the parties. As a result, that portion of the Court's Order designating his state facility for the service of his federal sentence should be stricken, and an Amended Order reflecting the same should be entered. A proposed Amended Order is attached to this motion.

Respectfully submitted,

JERRY E. MARTIN
United States Attorney for the
Middle District of Tennessee

s/ Philip H. Wehby

BY: _____

PHILIP H. WEHBY
Assistant U. S. Attorney
110 9th Avenue, South
Suite A-961
Nashville, Tennessee 37203
(615) 736-5151

ORDER
Mr. Martin
is GRANTED
3-11-13